

**REMARKS**

Claims 17, 19, 24, 31, and 36 have been amended herein. Claims 38-42 have been added. Claims 1-42 are now pending in the Application. No new matter has been added. Entry of the amendment is respectfully requested. Reconsideration is respectfully requested. Support for the amendments is found in the original claims, Specification, and Drawings.

Allowance of claims 1-16 and 19-20 and the indication of allowability of claims 21-30 and 34-37 is greatly appreciated

New claims 38-40 and 41-42 respectively correspond to original claims 21-23 and 34-35 rewritten in independent form as suggested in the Action. Therefore new claims 38-42 should be in condition for allowance.

Dependent claims 19, 24 and 36 has been amended to respectively depend from new claims 38, 40 and 42. Thus dependent claims 19, 20, 24-30, 36-37, should be in condition for allowance as well.

In addition, independent claims 17 and 31 have been amended herein to recite subject matter similar to that recited in allowed claim 1 and should be allowable for at least the same reasons as claim 1. Thus all of the pending claims should now be in condition for allowance. Allowance of the Application is respectfully requested.

**The Pending Claims Are Not Anticipated or Obvious in View of the Applied Art**

Claims 17-18, 31 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by May, U.S. Patent no. 5,760,380.

Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over May in view of Kenneth, et al., U.S. Patent no. 5,760,380 ("Kenneth").

These rejections are respectfully traversed.

Applicants respectfully submit that the original forms of each of these claims recites features which patentably distinguish over the prior art. However, to put this Application in condition for allowance, Applicants have amended claims 17 and 31 to recite subject matter similar to that recited in allowed claim 1.

For example, amended claim 17 now recites that the at least one structural portion is operative during relative movement of the at least one structural portion and the user interface toward each other to operatively engage the fascia portion and cause the fascia portion to move relative to the machine housing such that the card accepting opening is enabled to pass cards from outside the housing to the card reader.

Also for example, amended claim 31 now recites a step (a) of "operatively engaging a structural portion . . . with a fascia portion . . . during relative movement of the user interface and the structural portion toward each other" and a step (b) of "moving the fascia portion relative to the machine housing responsive to operative engagement in (a) to an operative position of the fascia portion, which operative position enables a card to be passed to the card reader from outside the machine through a card accepting opening through the fascia portion."

Neither May nor Kenneth discloses or suggests operatively engaging a structural portion of a card reader and fascia portion during relative movement of a user interface and structural portion toward each other. Further nowhere do these references disclose or suggest that a fascia portion moves to a position which enables a card to be passed through an opening in the fascia

portion responsive to this operative engagement during the relative movement of the user interface and structural portion toward each other. For these reasons claims 17 and 30 and dependent claims 18, 21-23, and 32-35 should be allowable.

Please note that the amendment of claims 17 and 31 shall not constitute an admission that the original forms of these claims are unpatentable. Applicants reserve the right to file Divisional applications including the original forms of these claims.

**Additional Claim Fees**

Please charge the fees associated with prosecution of five additional independent claims in excess of 3 (\$1000) and any other fee due, to Deposit Account No. 09-0428 of Diebold Self-Service Systems.

### Conclusion

The indication of allowed and allowable claims is greatly appreciated. Each of Applicants' pending claims specifically recites features and relationships that are neither disclosed nor suggested in any of the applied art. Furthermore, the applied art is devoid of any such teaching, suggestion, or motivation for combining features of the applied art so as to produce Applicants' invention. Allowance of all of Applicants' pending claims is therefore respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Examiner's convenience.

Respectfully submitted,



Ralph E. Jocke  
231 South Broadway  
Medina, Ohio 44256  
(330) 722-5143

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